

JAHNA LINDEMUTH
ATTORNEY GENERAL
Bradley E. Meyen (AK Bar No. 8506067)
Jennifer E. Douglas (AK Bar No. 1605029)
Assistant Attorneys General
Department of Law
1031 West Fourth Avenue, Suite 200
Anchorage, AK 99501
Telephone: (907) 269-5232
Facsimile: (907) 276-3697
Email: brad.meyen@alaska.gov
jennifer.douglas@alaska.gov

Attorneys for State of Alaska

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

LEAGUE OF CONSERVATION)	
VOTERS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
v.)	
)	Case No. 3:17-cv-00101-SLG
DONALD J. TRUMP, <i>et al.</i> ,)	
)	
Defendants,)	
)	

**INTERVENOR-DEFENDANT STATE OF ALASKA’S MOTION FOR
SUMMARY JUDGMENT AND OPPOSITION TO
PLAINTIFFS’ MOTION FOR SUMMARY JUDGMENT**

The State of Alaska (“State”) respectfully moves for summary judgment on all of Plaintiffs’ claims for relief pursuant to Federal Rule of Civil Procedure 56 and asks this Court to deny Plaintiffs’ Motion for Summary Judgment. [Dkt. Nos. 50-51].

In support of its motion and opposition to Plaintiffs’ motion, the State adopts and incorporates the arguments advanced by Federal Defendants’ Memorandum of Points and

Authorities in Support of Their Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment [Dkt. No. 56] in sections I, II, III.A. through III.F. In addition, the State asserts that summary judgment denying Plaintiffs' claims should be granted here because Congress gave presidents the authority to reverse or modify prior presidential withdrawals of the Outer Continental Shelf Lands Act ("OCSLA") when it used the phrase "from time to time" in Section 12(a). Abundant case law supports the view that when Congress uses this phrase, it is specifically allowing for changes to be made. Properly interpreted, OCSLA is not analogous to other land management statutes identified by the Plaintiffs.

For the foregoing reasons, and as described more fully in its Memorandum in Support, the State asks the court to grant its motion for summary judgment on all of Plaintiffs' claims and deny Plaintiffs' Motion for Summary Judgment.

DATED: August 2, 2018.

JAHNA LINDEMUTH
ATTORNEY GENERAL

By: /s/ Bradley E. Meyen
Bradley E. Meyen
AK Bar No. 8506067
Senior Assistant Attorney General
Department of Law
1031 West Fourth Avenue, Suite 200
Anchorage, AK 99501
Phone: (907) 269-5232
Facsimile: (907) 276-3697
Email: brad.meyen@alaska.gov
Jennifer E. Douglas
AK Bar No. 1605029
Assistant Attorney General

Department of Law
1031 West Fourth Avenue, Suite 200
Anchorage, AK 99501
Phone: (907) 269-5232
Facsimile: (907) 276-3697
Email: jennifer.douglas@alaska.gov

CERTIFICATE OF SERVICE

I certify that on August 2, 2018, the foregoing was served electronically on all parties via CM/ECF.

/s/Bradley E. Meyen
Bradley E. Meyen
Senior Assistant Attorney General